

REMARKS

I. Introduction

Claims 18 to 34 are pending in the present application. In view of the foregoing amendments and the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

II. Rejection of Claims 18, 20, 23 to 27, 29 to 31, and 34 Under 35 U.S.C. §102(b)

Claims 18, 20, 23 to 27, 29 to 31, and 34 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,337,611 ("Fleming et al."). It is respectfully submitted that Fleming et al. does not anticipate the present claims for at least the following reasons.

As an initial matter, the Examiner will note that claim 18 has been amended herein without prejudice to recite that a method includes manufacturing a test specimen after generating an electronic specification of a flaw. Claims 25, 26, and 29 have been amended herein without prejudice in analogous manner. In contrast, Fleming et al. does not disclose, or even suggest, manufacturing a test specimen after generating an electronic specification of a flaw. As such, it is respectfully submitted that Fleming et al. does not anticipate claims 18, 25, 26, and 29.

Regarding claim 30, Fleming et al. does not disclose, or even suggest, that a test specimen includes microcracks having position predefined by an electronic specification. As such, it is respectfully submitted that Fleming et al. does not anticipate claim 30.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Rejections Under 35 U.S.C. § 103(a)

Regarding the rejections raised under 35 U.S.C. § 103(a), since these rejections are raised with respect to dependent claims and since the deficiencies noted above with respect to Fleming et al. are not overcome by DE 100 15 702 or EP 0 743 128, it is respectfully submitted that all rejections under 35 U.S.C. § 103(a) should be withdrawn.

IV. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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